

**REMARKS/ARGUMENTS**

Claims 14-22, 24, 26, 29-33 are pending.

Claims 14-21 are canceled as being drawn to a non-elected invention.

Claims 22, 24, 26 and 29-33 are rejected.

Claim 22 is in independent form. Claim 22 has been amended. Support for these amendments can be found throughout the specification and drawings, as originally filed.

**35 USC §112, SECOND PARAGRAPH REJECTION**

Claims 22, 24, 26 and 29-33 are rejected under 35 USC §112, second paragraph as being indefinite. The rejection is respectfully traversed.

By this Amendment, Claim 22 is amended to provide proper antecedent basis. Withdrawal of the rejection is respectfully requested.

**35 USC §102(b) REJECTION**

Claims 22, 24, 26 and 29-33 are rejected under 35 USC §102(b) as being unpatentable over U.S. Patent No. 3,470,598 to Berthelsen (hereinafter "Berthelsen"). The rejection is respectfully traversed.

Independent Claim 22 defines over Berthelsen by claiming, *inter alia*, an integral plastic and metal component comprising a metal component having a closed cross section defining an interior and exterior.

The Office Action indicates that all of the elements of Claim 22 are disclosed in Berthelsen. The Office Action further states that the closed cross section comprises the metal component O<sub>R</sub>. It is respectfully submitted however, that O<sub>R</sub> is not a closed cross section as claimed. Rather, O<sub>R</sub> comprises several metallic reinforcements, each having an open cross

section. These reinforcements are disposed in separate elements E<sub>1</sub>, E<sub>2</sub> and E<sub>3</sub> which are then secured by a mechanical fastener (See, e.g., Figure 13).

In contradistinction, claim 22 requires, *inter alia*, a metal component having a closed cross section. In order for a reference to anticipate the claims, the reference must show each claim limitation. As set forth in MPEP §2313, quoting *Verdegall Bros. v. Union Oil Co. of California*, 814 F.2d 628, 631, 2 U.S.P.Q.2d 1051, 1053 (Fed.Cir.1987), "A claim is anticipated only if each and every element as set forth in the claim is found, either expressly or inherently described, in a single prior art reference." Because Berthelsen fails to show the structure of Claim 22 by failing to show, *inter alia*, a metal component having a closed cross section, it is respectfully submitted that the rejection based on 35 USC §102(b) cannot stand.

For at least this reason, amended independent Claim 22 is allowable over the applied art. Claims 24, 26, 29-33, which depend from Claim 22, are likewise allowable over the applied art. Withdrawal of the rejection is respectfully requested.

### **CONCLUSION**

In view of the foregoing, Applicant respectfully submits that the application is in condition for allowance. Favorable consideration and prompt allowance of the application is earnestly solicited.

Should Examiner Nordmeyer believe anything further would be desirable in order to place the application in better condition for allowance, the Examiner is invited to telephone the Applicant's undersigned attorney at (248) 364-4300 if any unresolved matters remain.

It is believed that any additional fees due with respect to this paper have already been identified. However, if any additional fees are required in connection with the filing of this paper,

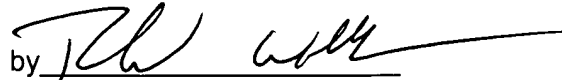
US Serial No.: 10/627,910  
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Amendment and Response dated December 5, 2006

Attorney Docket No. GVC.00001US

the Commissioner is authorized to charge any additional fees or credit any overpayment to Deposit Account No. 50-1612 (Warn Hoffmann Miller & LaLone). A duplicate copy of this letter is enclosed herewith.

Any needed extension of time is hereby requested with the filing of this document.

Respectfully submitted,

by 

RICHARD W. HOFFMANN

Registration No. 33,711

Phone: 248-364-4300

Warn Hoffmann Miller & LaLone PC  
PO Box 70098  
Auburn Hills, Michigan 48307

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